



City of Huntington Beach Planning Department **STUDY SESSION REPORT**

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Andrew Gonzales, Assistant Planner *AG*
DATE: January 8, 2008

SUBJECT: **APPEAL OF ZONING ADMINISTRATOR'S APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 07-013 (TADDEO RESIDENCE)**

LOCATION: 16251 Typhoon Lane, 92649 (west side of Typhoon Lane, between Sagamore and Venture Drives – Trinidad Island, Huntington Harbor)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

The item is an appeal filed by Planning Commissioner Shaw of the Zoning Administrator's approval of Coastal Development Permit (CDP) No. 07-013 which represents a request to demolish an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling.

The proposed single family residence is a waterfront lot located within an established residential neighborhood on Trinidad Island. The project complies with the General Plan, Coastal Zone Overlay District, and provisions of the base zoning district including maximum building height, maximum lot coverage, minimum on-site parking, and minimum building setbacks. The proposed residence substantially complies with the provisions of the Residential Infill Lot Ordinance which evaluates development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout. In addition, the proposed single family dwelling is located outside all public and private easements that are on the subject property.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	RL-7 (Residential Low Density – Max. 7 du/ac)	RL (Residential Low Density)	Single-Family Residential
North, South and East of Subject Property	RL-7 (Residential Low Density – Max. 7 du/ac)	RL (Residential Low Density)	Single-Family Residential
West of Subject Property	OS-W (Water Recreation)	OS-WR (Water Recreation Subdistrict)	Huntington Harbor

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

November 8, 2007

MANDATORY PROCESSING DATE(S):

January 7, 2008

Coastal Development Permit No. 07-013 was filed on October 9, 2007 and deemed complete on November 8, 2007. The Zoning Administrator acted on the application on November 28, 2007, in compliance with mandatory processing. The application is tentatively scheduled for public hearing before the Planning Commission on January 23, 2008 (Wednesday).

CEQA ANALYSIS/REVIEW

The proposed project is Categorical Exempt, pursuant to Section 15303, Class 3 of the California Environmental Quality Act, because the project is located within an urbanized residential zone and involves the construction of a new single family dwelling.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Building & Safety, Fire, Police, and Public Works have reviewed the application and identified comments and applicable code requirements provided in Attachment 4.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

Coastal Development Permit No. 07-013 was scheduled before the Zoning Administrator on November 28, 2007. Prior to the public hearing staff received letters of opposition from neighboring property owners requesting denial of the project, in addition to a request for continuance by the Huntington Harbor Property Owners' Association.

The applicant and opponents of the project were present at the November 28, 2007, public hearing meeting. Opponents expressed concern regarding the overall size and height of the residence and with potential infringement of an exclusive easement granted to the adjoining property located at 16261 Typhoon Lane.

The Zoning Administrator indicated that the proposed residence is consistent with the size and height of homes in the surrounding area, and that exclusive use of the easement is a matter between the homeowners. Therefore, since the project conforms to the General Plan, Coastal Zone Overlay District, and Huntington Beach Zoning and Subdivision Ordinance (HBZSO) the Zoning Administrator approved Coastal Development Permit No. 07-013 with findings and conditions of approval.

PLANNING ISSUES

The primary issue for the Planning Commission to consider is whether or not approval of the Coastal Development Permit (CDP) fulfills the required findings. As noted, the proposed single family residence complies with all applicable base zoning and coastal zone requirements.

HBZSO Section 245.30 Findings for a CDP, states that the Planning Commission must make the following findings when granting an approval:

1. That the development project, as proposed or as modified by conditions of approval, conforms to the General Plan, including the Local Coastal Program.

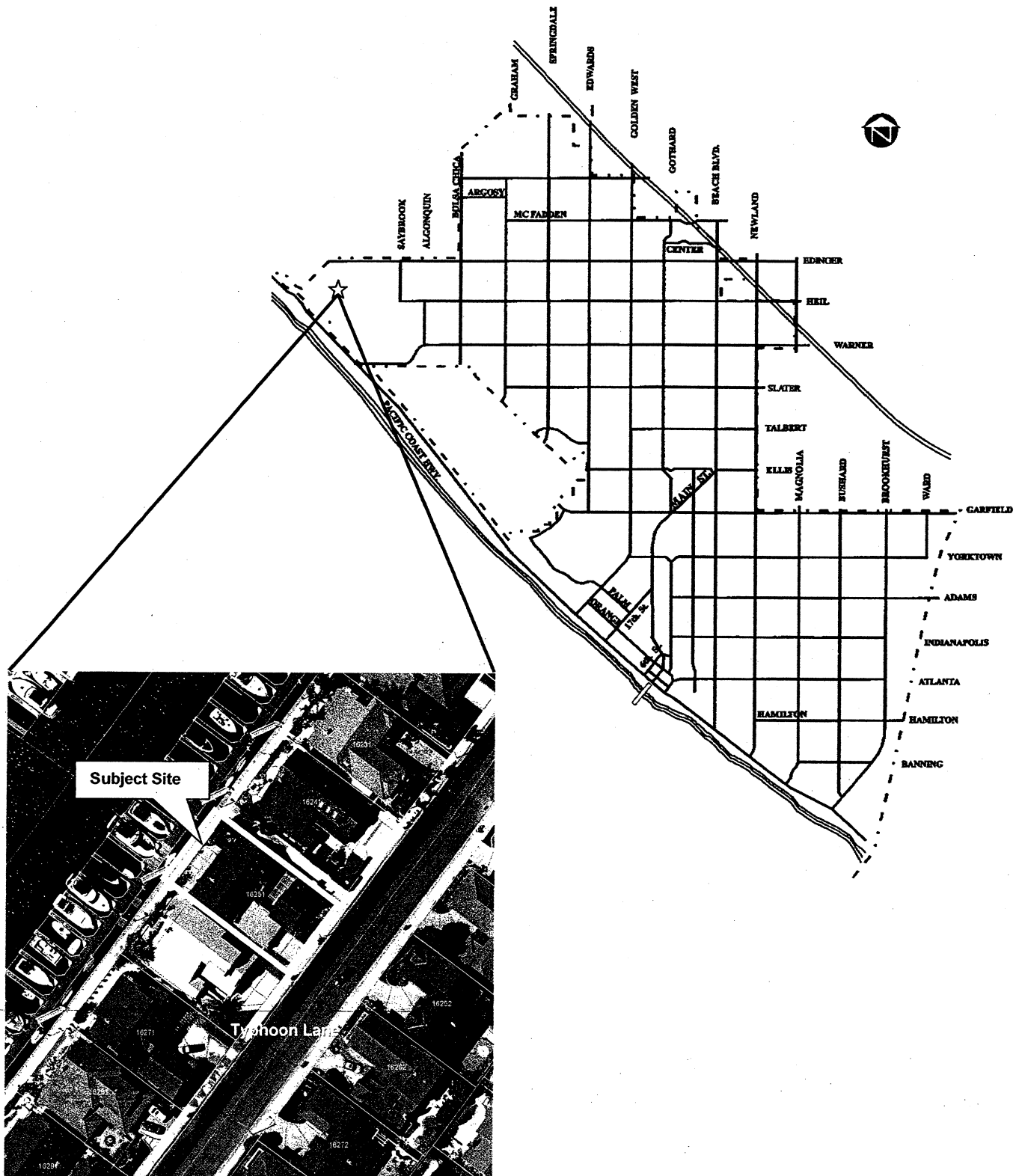
2. That the project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code.
3. That at the time of occupancy the proposed development is provided with infrastructure in a manner that is consistent with the Local Coastal Program.
4. The development conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act.

If the Planning Commission finds that there is no basis for each of the findings listed above, the application must be denied.

The issue of access rights to the 5 ft. wide and 50 ft. long exclusive easement, which was established along the south property line for the purposes of maintenance of 16261 Typhoon Lane, is not negated by the approval of this development because no encroachment into the easement will occur. Therefore, the contention between property owners over the exclusive easement for maintenance purposes is a civil matter separate from the CDP.

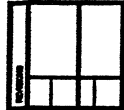
ATTACHMENTS:

1. Vicinity Map
2. Site plan, floor plans, and elevations received and dated October 7, 2007
3. Zoning Administrator Notice of Action – CDP No. 07-013 dated November 29, 2007
4. Code Requirements Letter – CDP 07-013 dated November 7, 2007.
5. Planning Commissioner Shaw appeal letter dated July 23, 2007
6. Letters of Opposition and Support



VICINITY MAP
COASTAL DEVELOPMENT PERMIT NO. 07-013
(TADDEO RESIDENCE - 16251 TYPHOON LANE)

An aerial photograph of a residential street. The street runs vertically through the center of the frame. On the left side of the street, there are several houses with dark roofs and some trees. On the right side, there are more houses and trees. The image is in black and white and has a grainy, high-contrast appearance.



HUNTINGTON BEACH, CALIFORNIA 92649

PROPOSED CUSTOM ESTATE FOR:
THE TADDEO FAMILY
16281 TYPHOON LANE
HUNTINGTON BEACH, CALIFORNIA 92646

DATE	10-8-97
SOLICITATION	1/9611-S*
STATUS	
FOR FISCAL YEAR	FY 1998
TITLE	
WILL STATE	2004 STATE
FOR IDENTIFICATION	T-I

SHEET INDEX		PROJECTED		B. S. N.	
REVISIONS	3				
DATE	3				
2ND FLOOR LANS	2000 SQ. FT.				
1ST FLOOR LANS	1211 SQ. FT. (including reserved sq. ft.)				
CHARGE	843 SQ. FT.				
TOTAL	4114 SQ. FT.				
ADDITIONAL INFORMATION					
CHARGE		CHARGE KEY TO CHARGE		CHARGE REDUCTION	
BALANCE POINT	30'-0"				30'-0" MAX.
NORTH RETAIN	5'-0"				10'-0" MAX.
SOUTH RETAIN	5'-0"				5'-0" MAX.
FRONT RETAIN	10'-0"				10'-0" MAX.
REAR RETAIN	10'-0"				10'-0" MAX.
LIT. RECD.	843 SQ. FT.				
BALANCE POINT	2000 SQ. FT.				
LIT. CHARGE	402				MAX. 500

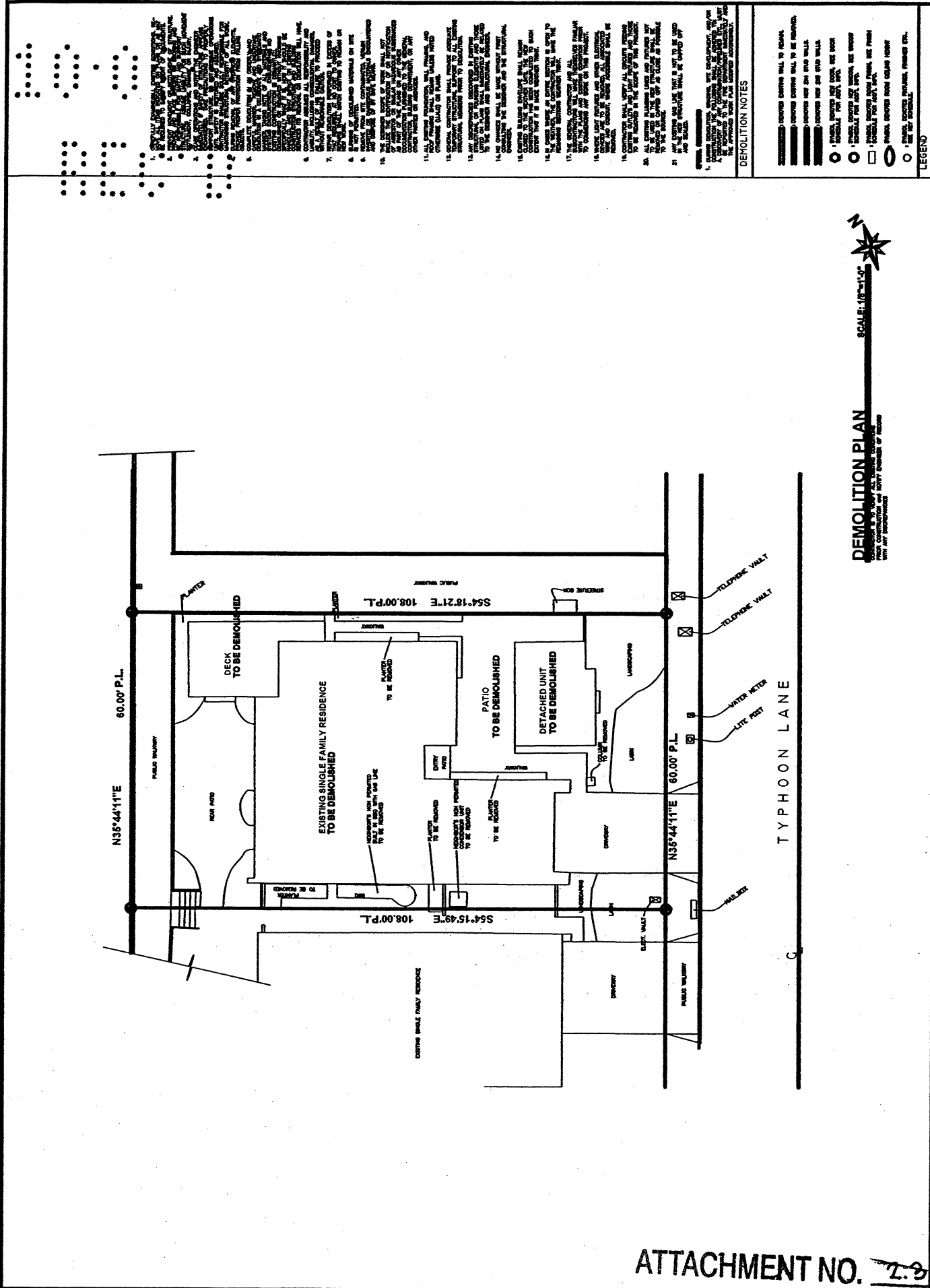
DEFERRED MATRIALS SHALL BE RETURNED BY THE
DEFERRED OF RECORDS PRIOR TO THE BILLING
CYCLE.

ALL DEFERRED MATRIALS AND OTHER DEFERRED ON
DEFERRED MATRIALS SHALL BE RETURNED BY THE
DEFERRED OF RECORDS PRIOR TO THE BILLING
CYCLE.

[illegible]

SERVICES	CODE	REVIEW	LEGAL
THE UNMADE FAMILY 1525 HUNTERLY LANE HUNTERLY BEACH, CALIFORNIA 92344 714.343.0179		LEWIS, GORDON/PHIL LOT 7/TINOT/ALCOB TR 1830 LOT 28 AND BOLT SLP 225 TR 1830 LOT 28 OHSR.14	19251 TYNHORN LANE HUNTERLY BEACH, CALIFORNIA 92344
STUBBINS & GREG HOWELL 714.343.2850 HUNTERLY BEACH, CA 92344		PAREL, NABER 175-731-09 175-731-09 20-09, 20-09-18	SWE, ADDRESS 19251 TYNHORN LANE HUNTERLY BEACH, CALIFORNIA 92344

ATTACHMENT NO. 2.1



[illegible]

3 TLE SPECIFICATIONS

Rated Size	11 1/4" x 12 1/4"
Rated Size	10 1/2" x 10 1/2"
Weight	per square 600 lbs.
Weight	per piece 7.20 lbs.
Area of	pieces per square 131 pcs
FACTORY SPECIFICATIONS	
Rated Size	310mm x 310mm
Rated Size	267mm x 267mm
Weight	per square 44.20 kg/m ²
Weight	per piece 3.29 kg/pc
Area of	pieces per m ² 14.1 pcs

ROOFING TILE NOTES:

EXTERIOR LATH & PLASTER

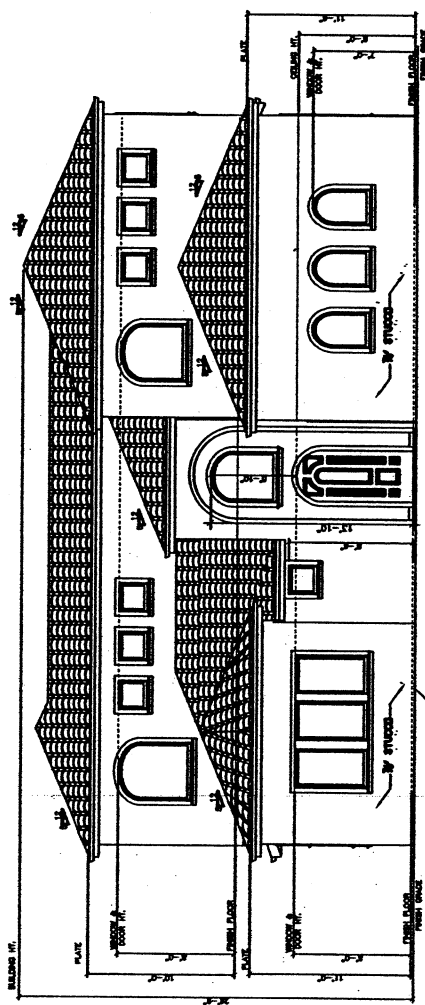
• EXTERIOR PLASTER ON W/LATH
• COARSE MESH BUILT-UP THROUGHOUT
• INTERMEDIATE FINISHES OF STUCCO
• COARSE, MEDIUM & FINEST
• 7" MESH (PLY) OVER PLUMBED AT
EAVE ENDS.

EXTERIOR PLASTER NOTES:

- [illegible]

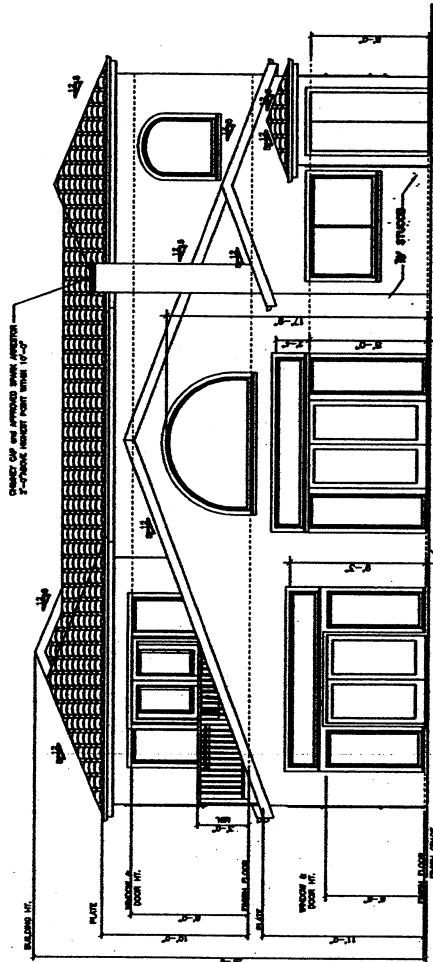
THESE KIDS ARE FOR PLAYING OF ALL OTHER WOODS AND SOFT CHAIRS TO BE USED TO WEATHER TO MAKE THEM

ELEVATION NOTES



EAST ELEVATION

SCALE: 1/4"=1'-0"



WEST ELEVATION

SCALE: 1/4"=1'-0"

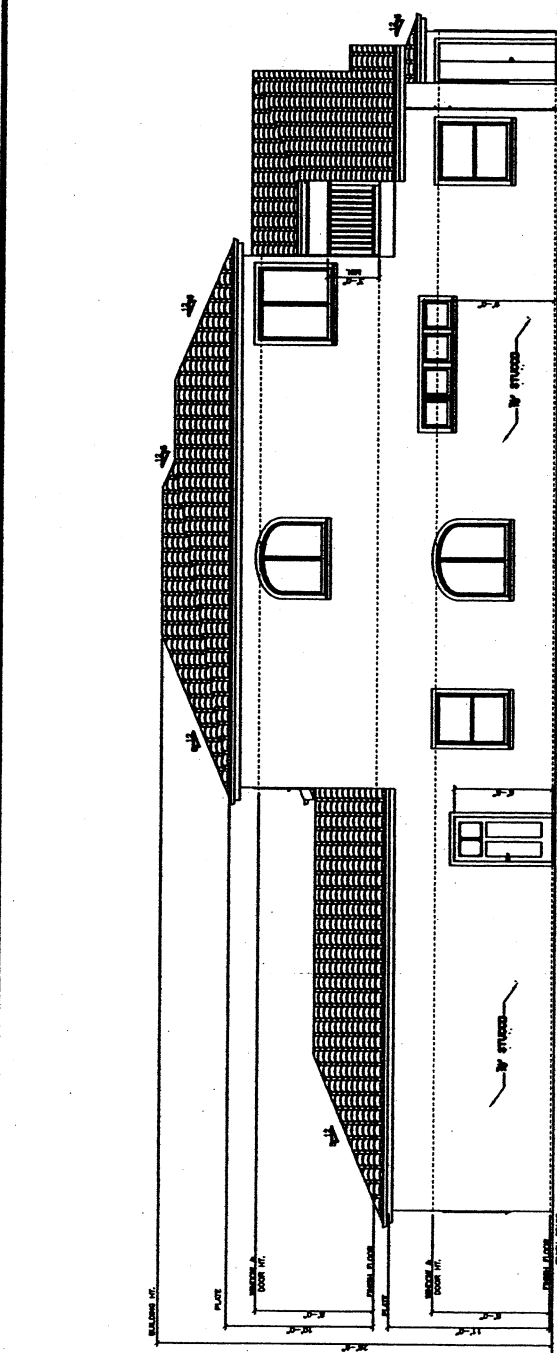
10221 TYNNOC LANE
 MARINATE BEACH, CALIFORNIA 92040

STUCCO (EXTERIOR PLASTER)
 1. EXTERIOR PLASTER, THIN AND THICK COAT TO MATCH EXISTING APPLIED
 2. EXTERIOR STUCCO TO MATCH EXISTING APPLIED
 3. FINISH TO MATCH EXISTING APPLIED
 4. ALL EXTERIOR PLASTER TO BE APPLIED TO MATCH EXISTING APPLIED
 5. ALL EXTERIOR PLASTER TO BE APPLIED TO MATCH EXISTING APPLIED
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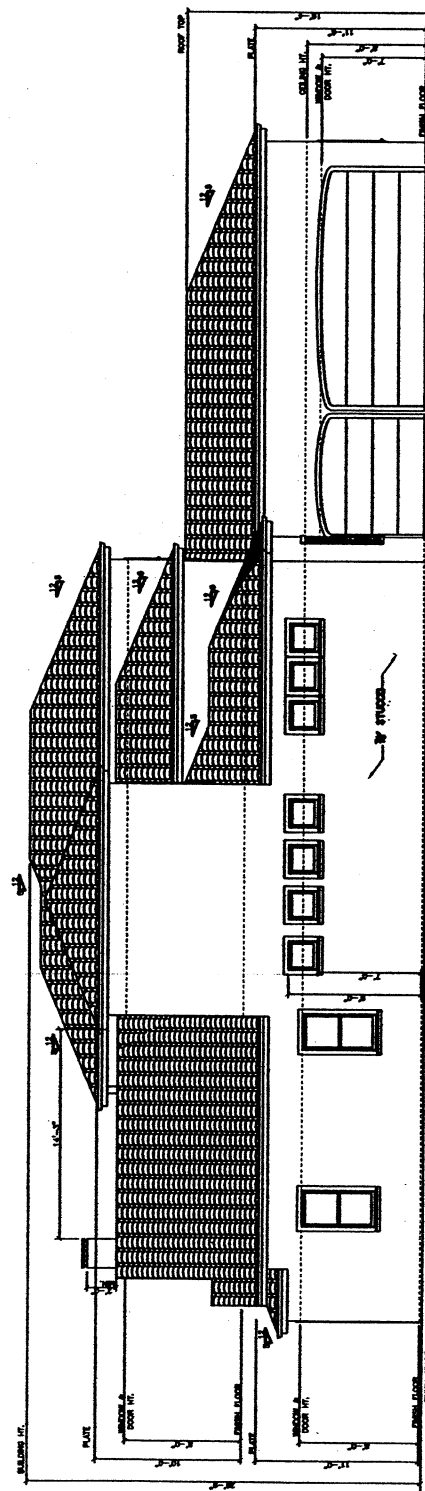
ROOFING TILE NOTES:
 1. EXTERIOR PLASTER, THIN AND THICK COAT TO MATCH EXISTING APPLIED
 2. EXTERIOR STUCCO TO MATCH EXISTING APPLIED
 3. FINISH TO MATCH EXISTING APPLIED
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EXTERIOR PLASTER NOTES:
 1. EXTERIOR PLASTER, THIN AND THICK COAT TO MATCH EXISTING APPLIED
 2. EXTERIOR STUCCO TO MATCH EXISTING APPLIED
 3. FINISH TO MATCH EXISTING APPLIED
 4. ALL EXTERIOR PLASTER TO BE APPLIED TO MATCH EXISTING APPLIED
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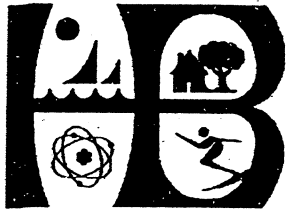
ELEVATION NOTES:
 1. EXTERIOR PLASTER, THIN AND THICK COAT TO MATCH EXISTING APPLIED
 2. EXTERIOR STUCCO TO MATCH EXISTING APPLIED
 3. FINISH TO MATCH EXISTING APPLIED
 4. ALL EXTERIOR PLASTER TO BE APPLIED TO MATCH EXISTING APPLIED
 5. ALL EXTERIOR PLASTER TO BE APPLIED TO MATCH EXISTING APPLIED
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 9. ALL EXTERIOR PLASTER TO BE APPLIED TO MATCH EXISTING APPLIED
 10. ALL EXTERIOR PLASTER TO BE APPLIED TO MATCH EXISTING APPLIED



NORTH ELEVATION
 SCALE: 1/8"=1'-0"



SOUTH ELEVATION
 SCALE: 1/8"=1'-0"



**OFFICE of the ZONING ADMINISTRATOR
CITY OF HUNTINGTON BEACH • CALIFORNIA**

P.O. BOX 190

CALIFORNIA 92648

(714) 536-5271

NOTICE OF ACTION

November 29, 2007

Greg Howell
20561 Suburbia Lane
Huntington Beach, CA 92646

SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 2007-013 (TADDEO RESIDENCE)

APPLICANT: Greg Howell

REQUEST: To permit the demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout.

PROPERTY OWNER: Robert Taddeo, 18204 3rd Street, Fountain Valley, CA 92708

LOCATION: 16251 Typhoon Lane, 92649 (west side of Typhoon Lane, between Sagamore and Venture Drives – Trinidad Island, Huntington Harbor)

PROJECT PLANNER: Andrew Gonzales

DATE OF ACTION: November 28, 2007

On Wednesday, November 28, 2007, the Huntington Beach Zoning Administrator took action on your application, and your application was conditionally approved. Attached to this letter are the findings and conditions of approval.

Please be advised that the Zoning Administrator reviews the conceptual plan as a basic request for entitlement of the use applied for and there may be additional requirements prior to commencement of the project. It is recommended that you immediately pursue completion of the conditions of approval and address all requirements of the Huntington Beach Zoning and Subdivision Ordinance in order to expedite the processing/completion of your total application. The conceptual plan should not be construed as a precise plan, reflecting conformance to all Zoning and Subdivision Ordinance requirements.

ATTACHMENT NO. 3.1

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by the applicant or an aggrieved party. Said appeal must be in writing and must set forth in detail the actions and grounds by and upon which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Two Hundred Eighty-Seven Dollars (\$1287.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and One Thousand Five Hundred Sixty-Nine Dollars (\$1569.00) if the appeal is filed by any other party. The appeal shall be submitted to the Department of Planning within ten (10) working days of the date of the Zoning Administrator's action. There is no fee for the appeal of a Coastal Development Permit to the California Coastal Commission.

In your case, the last day for filing an appeal is December 12, 2007.

This project is in the Appealable portion of the coastal zone. Only projects in accordance with Section 30603 of the California Coastal Act may be appealed to the Coastal Commission. Action taken by the Zoning Administrator may not be appealed directly to the Coastal Commission unless Title 14, Section 13573 of the California Administrative Code is applicable. Section 13573(a)(3) states that an appeal may be filed directly with the Coastal Commission if the appellant was denied the right of local appeal because local notice and hearing procedures for the development did not comply with the provisions of this article. The other three grounds for direct appeal do not apply. If the above condition exists, an aggrieved person may file an appeal within ten (10) working days, pursuant to Section 30603 of the Public Resources Code, in writing to:

South Coast Area Office
California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302
Attn: Theresa Henry
(562) 590-5071

The Coastal Commission review period will commence after the City appeal period has ended and no appeals have been filed. Applicants will be notified by the Coastal Commission as to the date of the conclusion of the Coastal Commission review. Applicants are advised not to begin construction prior to that date.

Provisions of the Huntington Beach Zoning and Subdivision Ordinance are such that any application becomes null and void one (1) year after final approval, unless actual construction has started.

Excepting those actions commenced pursuant the California Environmental Quality Act, you are hereby notified that you have 90 days to protest the imposition of the fees described in this Notice of Action. If you fail to file a written protest regarding any of the fees contained in this Notice, you will be legally barred from later challenging such action pursuant to Government Code §66020.

If you have any questions regarding this Notice of Action letter or the processing of your application, please contact the project planner, Andrew Gonzales, at (714) 374-1547 or via email at agonzales@surfcity-hb.org; otherwise contact the Planning Department Zoning Counter at (714) 536-5271.

Sincerely,



Mary Beth Broeren
Zoning Administrator

MBB:AG:pa
Attachment

c: Honorable Mayor and City Council
Chair and Planning Commission
Penelope Culbreth-Graft, City Administrator
Paul Emery, Deputy City Administrator
Scott Hess, Director of Planning
Herb Fauland, Principal Planner
William H. Reardon, Division Chief/Fire Marshal
Terri Elliott, Principal Civil Engineer
Gerald Caraig, Permit-Plan Check Manager
Robert Taddeo, Property Owner
Project File

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

COASTAL DEVELOPMENT PERMIT NO. 2007-013

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project is located within an urbanized residential zone and involves the construction of a new single family dwelling.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-013:

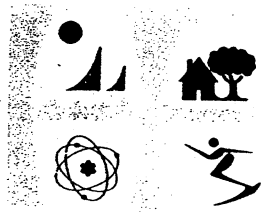
1. Coastal Development Permit No. 2007-013 for the demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum site coverage, maximum building height, minimum yard setbacks, and minimum on-site parking.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed project will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-013:

1. The site plan, floor plans, and elevations received and dated October 9, 2007, shall be the conceptually approved design.
2. Prior to submittal of building permits, an exhibit shall be provided to the Planning Department verifying that the proposed first floor nook, kitchen, and laundry room windows will not align with first floor windows of the adjacent residence to the north. Any windows on the new residence that line up with those on the adjacent residence shall be moved so as not to align with existing windows.
3. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

Phone 536-5271
Fax 374-1540

November 7, 2007

Greg Howell
20561 Suburbia Lane
Huntington Beach, CA 92646

**SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 2007-013
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Mr. Howell,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

Please be advised that pending the status on your application, it should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Zoning Administrator. Please note that if the design of your project or site conditions change, the list may also change.

The attached project implementation code requirements may be appealed to the Planning Commission as a matter separate from the associated entitlement(s) within ten calendar days of the Zoning Administrator's determination of the project pursuant to the Huntington Beach Zoning and Subdivision Ordinance Section 248.24. The appeal fee is \$494.00.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-374-1547 or at agonzales@surfcity-hb.org and/or the respective source department (contact person below).

Sincerely,


Andrew Gonzales
Assistant Planner

Enclosures: Planning Department requirements dated November 7, 2007

Fire Department requirements dated November 1, 2007
Public Works Department requirements dated November 1, 2007
Building & Safety Department requirements dated October 30,
2007

Cc: Daniel Lee, Building and Safety Department – 714-536-5679
Lee Caldwell, Fire Department – 714-536-5531
Steve Bogart, Public Works – 714-536-1692
Herb Fauland, Principal Planner
Jason Kelley, Planning Department
Project File



CITY OF HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 6, 2007
PROJECT NAME: TADDEO RESIDENCE
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 2007-013
PROJECT LOCATION: 16251 TYPHOON LANE, HUNTINGTON BEACH
PLAN REVIEWER: ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL: (714) 371-1547/ AGONZALES@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE DEMOLITION AND CONSTRUCTION OF A 4,194 SQ. FT., TWO STORY, SINGLE FAMILY RESIDENCE LOCATED WITHIN THE COASTAL ZONE. THE REQUEST INCLUDES A REVIEW AND ANALYSIS FOR COMPLIANCE WITH THE INFILL LOT ORDINANCE. THE INFILL LOT ORDINANCE ENCOURAGES ADJACENT PROPERTY OWNERS FOR COMPATIBILITY PRIVACY ISSUES, SUCH AS WINDOW ALIGNMENTS, BUILDING PAD HEIGHT, AND FLOOR PLAN LAYOUT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated October 9, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Zoning Administrator in conjunction with the requested entitlement(s), if any, should your project be approved. If you have any questions regarding these requirements, please contact the Plan Reviewer.

COASTAL DEVELOPMENT PERMIT NO. 2007-013:

1. The site plan, floor plans, and elevations approved by the Zoning Administrator shall be the conceptually approved design.
2. Prior to issuance of demolition permits, the applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved agencies.
3. Prior to submittal for building permits, the zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

4. During demolition, grading, site development, and/or construction, all Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.
5. The final building permit(s) cannot be approved until the following has been completed:
 - a. Compliance with all conditions of approval specified herein shall be verified by the Planning Department.
 - b. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
7. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
8. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
9. Coastal Development Permit No. 2007-013 shall not become effective until the ten working day appeal period has elapsed for Coastal Development Permits. For projects in the appealable area of the coastal zone, there is an additional ten working day appeal period that commences when the California Coastal Commission receives the City's notification of final action.
10. Coastal Development Permit No. 2007-013 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
11. The Zoning Administrator reserves the right to revoke Coastal Development Permit No. 2007-013 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
12. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
13. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Zoning Administrator's approval of entitlements.

14. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Zoning Administrator.
15. Any proposed cantilevered deck, dock, and/or ramp improvements located in the public waterway shall require separate permits.



CITY OF HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 11, 2007
PROJECT NAME: NEW SFD – TADDEO RESIDENCE
ENTITLEMENTS: COASTAL DEVELOPMENT PERMIT NO. 2007-013
PROJECT LOCATION: 16251 TYPHOON LANE, HUNTINGTON BEACH, CA
PLANNER: ANDREW GONZALES, ASSIANT PLANNER
TELEPHONE/E-MAIL: (714) 374-1547/ AGONZALES@SURFCITY-HB.ORG
PLAN REVIEWER-FIRE: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL: (714) 536-5531/ LCALDWELL@SURCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE DEMOLITION AND CONSTRUCTION OF A 4,194 SQ. FT., TWO STORY, SINGLE FAMILY RESIDENCE LOCATED WITHIN THE COASTAL ZONE. THE REQUEST INCLUDES A REVIEW AND ANALYSIS FOR COMPLIANCE WITH THE INFILL LOT ORDINANCE. THE INFILL LOT ORDINANCE ENCOURAGES ADJACENT PROPERTY OWNERS TO REVIEW PROPOSED DEVELOPMENT FOR COMPATIBILITY/ PRIVACY ISSUES, SUCH AS WINDOW ALIGNMENTS, BUILDING PAD HEIGHT, AND FLOOR PLAN LAYOUT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated October 16, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

- a. **NOTE:** Records indicate a 10" diameter city waterline is in the vicinity of the walkway between this property and the property to the north. Public Works should be consulted for the precise location of this line.
- b. *No additional Fire requirements this section. (FD)*

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. (FD)

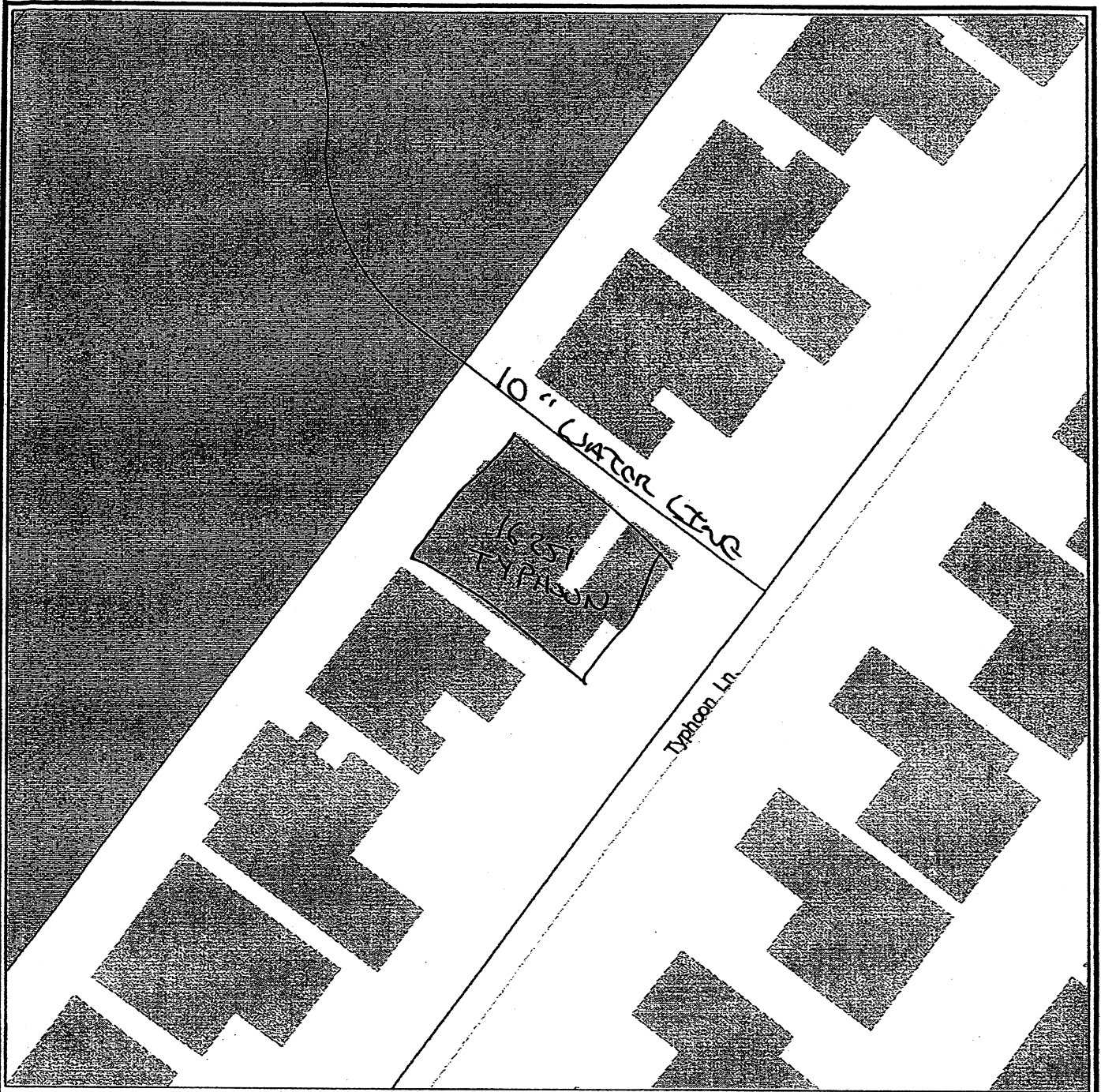
OTHER:

- a. Discovery of soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. (FD)
- b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. (FD)

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648
or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.

S:\Prevention\1-Development\CUP's\Typhoon 16251 SFD-Demo, New SFD CDP# 2007-013 11-04-07.doc



Huntington Beach

Map produced by information contained in the City of Huntington Beach Information Services Department Geographic Information System. Information warranted for City use only. Huntington Beach does not guarantee its completeness or accuracy.
Map Produced on 11/4/2007



HB
GIS

0 49 98

One inch equals 49 feet

FIRE STATIONS



OIL WELLS



FIRE HYDRANTS



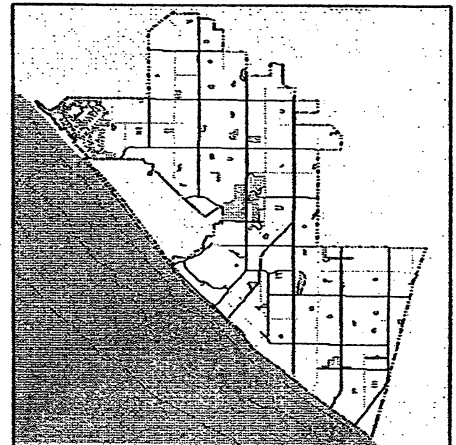
STREET NAMES



WATER MAINS



CITY BOUNDARY



Attributes for Feature on Water Mains Layer

USE	1
CLASS	150
MATERIAL	PVC
MILES	.080
DIAMETER	10
LENGTH	421.526
SYMBOL	82
WMNUMBER	6975
NOTES	
INDEX	6975
YEAR	77



CITY OF HUNTINGTON BEACH PUBLIC WORKS DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 1, 2007
PROJECT NAME: TADDEO RESIDENCE
ENTITLEMENTS: COASTAL DEVELOPMENT PERMIT NO. 2007-013
DATE OF PLANS: OCTOBER 9, 2007
PROJECT LOCATION: 16251 TYPHOON LANE, HUNTINGTON BEACH
PROJECT PLANNER: ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL: 714-374-1547 / AGONZALES@SURFCITY-HB.ORG
PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER
TELEPHONE/E-MAIL: 714-374-1692 / SBOGART@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE DEMOLITION AND CONSTRUCTION OF A 4,194 SQ. FT., TWO STORY, SINGLE FAMILY RESIDENCE LOCATED WITHIN THE COASTAL ZONE. THE REQUEST INCLUDES A REVIEW AND ANALYSIS FOR COMPLIANCE WITH THE INFILL LOT ORDINANCE. THE INFILL LOT ORDINANCE ENCOURAGES ADJACENT PROPERTY OWNERS TO REVIEW PROPOSED DEVELOPMENT FOR COMPATIBILITY/ PRIVACY ISSUES, SUCH AS WINDOW ALIGNMENTS, BUILDING PAD HEIGHT, AND FLOOR PLAN LAYOUT.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - a. The minimum finished floor elevation for the new house shall be 10.00 feet North American Vertical Datum of 1988. (NAVD 88)

- b. The existing damaged driveway approach on Typhoon Lane shall be removed and reconstructed as an ADA compliant driveway approach per Public Works Standard Plan No. 209. (ZSO 230.84)
 - c. A new sewer lateral shall be installed connecting to the main in Typhoon Lane. If the new sewer lateral is not constructed at the same location as the existing lateral, then the existing lateral shall be severed and capped at the main or chimney. (ZSO 230.84)
 - d. A new domestic water service and meter shall be installed per Water Division Standards, and sized to meet the minimum requirements set by the California Plumbing Code (CPC). The domestic water service shall be a minimum of 1-inch in size. (MC 14.08.020)
 - e. A separate backflow protection device shall be installed per Water Division Standards for the domestic water service. (Resolution 5921 and Title 17)
 - f. The existing domestic water service and meter shall be abandoned per Water Division Standards. (ZSO 230.84)
2. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)
- a. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)
 - b. Standard landscape code requirements apply. (ZSO 232)
 - c. One 36-inch box tree shall be planted in the front yard, adjacent to the street frontage. (ZSO 232.08, Resolution 4545, MC 13.50).
3. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)
4. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. (DAMP)
5. A project Water Quality Management Plan (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance (Drainage Area Management Plan DAMP) and shall include the following:
- a. Discusses regional or watershed programs (if applicable)
 - b. Addresses Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas
 - c. Incorporates the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan (DAMP)
 - d. Incorporates Treatment Control BMPs as defined in the DAMP
 - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs
 - f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs
 - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs

- h. Includes an Operations and Maintenance (O&M) Plan for all structural BMPs
 - i. After incorporating plan check comments of Public Works, three final WQMPs (signed by the owner and the Registered Civil Engineer of record) shall be submitted to Public Works for acceptance. After acceptance, two copies of the final report shall be returned to applicant for the production of a single complete electronic copy of the accepted version of the WQMP on CD media that includes:
 - i) The 11" by 17" Site Plan in .TIFF format (400 by 400 dpi minimum).
 - ii) The remainder of the complete WQMP in .PDF format including the signed and stamped title sheet, owner's certification sheet, Inspection/Maintenance Responsibility sheet, appendices, attachments and all educational material.
 - j. The applicant shall return one CD media to Public Works for the project record file.
6. Indicate the type and location of Water Quality Treatment Control Best Management Practices (BMPs) on the Grading Plan consistent with the Project WQMP. The WQMP shall follow the City of Huntington Beach; Project Water Quality Management Plan Preparation Guidance Manual dated June 2006. The WQMP shall be submitted with the first submittal of the Grading Plan.
 7. A soils report, prepared by a Licensed Engineer shall be submitted for reference only. (MC 17.05.150)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING GRADING OPERATIONS:

1. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
2. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
3. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
4. The construction disturbance area shall be kept as small as possible. (California Stormwater BMP Handbook, Construction Erosion Control EC-1) (DAMP)
5. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)
6. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)
7. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
8. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. A Precise Grading Permit shall be issued. (MC 17.05)

ATTACHMENT NO. 4.12

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR OCCUPANCY:

1. Complete all improvements as shown on the approved grading and landscape plans. (MC 17.05)
2. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect. (ZSO 232.04D)
3. Applicant shall provide City with CD media TIFF images (in City format) and CD (AutoCAD only) copy of complete City Approved landscape construction drawings as stamped "Permanent File Copy" prior to starting landscape work. Copies shall be given to the City Landscape Architect for permanent City record.
4. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate all drainage courses, pipes, gutters, basins, etc. are clean and properly constructed.
 - c. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - d. Demonstrate that an adequate number of copies of the approved Project WQMP are available for the future occupiers.
5. All new utilities shall be undergrounded. (MC 17.64)
6. The Water Ordinance #14.52, the "Water Efficient Landscape Requirements" apply for projects with 2500 square feet of landscaping and larger. (MC 14.52)
7. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council Resolutions 2007-58 and 2007-59. (ZSO 240.06/ZSO 250.16)



**CITY OF HUNTINGTON BEACH
DEPARTMENT OF BUILDING & SAFETY
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: October 30, 2007
PROJECT NAME: Taddeo Residence
ENTITLEMENTS: Preliminary Plan Review No. 2007-002
PROJECT LOCATION: 16251 Typhoon Lane (West side of Typhoon Lane, between Sagamore and Venture Drives – Trinidad Island)
PLANS DATED: October 9, 2007
PROJECT PLANNER: Andrew Gonzales, Assistant Planner
PLAN REVIEWER: Daniel Lee, Plan Check Engineer
TELEPHONE/E-MAIL: (714) 536-5679 / dalee@surfcity-hb.org
PROJECT DESCRIPTION: To permit the demolition and construction of a 4,194 sq. ft., two story, single family residence located within the Coastal Zone.

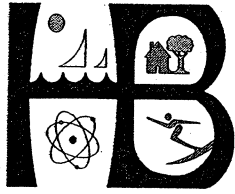
The following is a list of code requirements deemed applicable to the proposed project based on plans received as stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. This list is not intended to be a full and complete list and serves only to highlight possible building code issues on the proposed preliminary plans. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Project shall comply with the 2001 California Building Code, 2001 California Mechanical Code, 2001 California Plumbing Code, 2004 California Electrical Code, 2005 California Energy Code and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.
2. Plans submitted on or after January 1, 2008 shall comply with the new 2007 CBC.
3. Structural calculations and drawings by a licensed professional is required.
4. Stairway windows shall be tempered.
5. Storage space and wine cellar under stairs shall have walls and soffits of 5/8" Type X gyp.
6. The self-closing tight fitting door in the garage shall be a '20 minute' fire-rated door.
7. A soils report is required. This report shall include a soil corrosivity analysis for buried pipes and recommendations regarding liquefaction potential.
8. An approved grading plan is required. Two copies are required prior to permit issuance.
9. Provide roof attic ventilation per 1/150.



CITY OF HUNTINGTON BEACH

City Council Communication

TO: Scott Hess, Planning Commission Secretary

FROM: Joe Shaw, Planning Commissioner JS yH

DATE: December 10, 2007

SUBJECT: APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 07-13 (TADDEO RESIDENCE)

I am hereby appealing the Zoning Administrator's November 28, 2007 approval of Coastal Development Permit No. 07-013. The request is to permit the demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling at 16251 Typhoon Lane.

The basis of my appeal is that approval for the development of the proposed single family residence at the subject site (Lot 26) will infringe on a recorded easement exclusive to 16261 Typhoon Lane (Lot 25).

Pursuant to Section 248.18 of the HBZSO, the Planning Commission shall hear an appeal from the Zoning Administrator.

JS:SH:ag

Cc: Planning Commissioners
Penelope Culbreth-Graft, City Administrator
Paul Emery, Deputy City Administrator
Herb Fauland, Principal Planner
Andrew Gonzales, Assistant Planner
Robert Taddeo, Property Owner

City of Huntington Beach
DEC 10 2007

ATTACHMENT NO. 5.1

December 14, 2007

City of Huntington Beach
Planning Department Commissioner:

John Scandura
Devin Dwyer
Blair Farley
Joe Shaw
Elizabeth Shier-Burnett
Fred Speaker
Tom Livengood

12/17/07 -

2000 Main Street
Huntington Beach, CA 92648

Dear Commissioners:

We propose to build a two story home on the property located at 16251 Typhoon Ln, Huntington Beach. We received tentative approval of the architectural plans at the Zoning meeting on November 28, 2007. The Home Owners Association of Trinidad Island has also given approval of the home. The home meets all code requirements. The footprint of the proposed home is the same as the existing home and will not encroach on any neighboring property as alleged in the appeal.

The owners of the property to the south at 16261 Typhoon have waged a campaign in the neighborhood in an attempt to prevent the building of our home. Although we recognize that new construction is potentially disruptive, we feel this is not an issue for the Planning Commission to address. As long as the home meets all of the zoning codes we feel the proposed plans should be approved without delay.

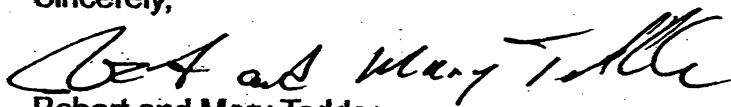
The owners of the adjacent property have alleged that the proposed home will encroach upon their property. This is not true at all. They initially alleged we were placing a wall on the "easement" which is also not true.

In actuality we are the legal owners of the property five feet adjacent to the home on the south and north side of the lot. Although the neighbors believed they had easement rights they do not. We paid for and have a property survey that indicates our lot is 60' x 108'. We also have copies of the Grant Deed from the original owners issued in 1983 as well as the current Grant Deed issued to us. There are no recorded easements for this property. A title search has confirmed this.

Therefore, the basis of the appeal is invalid for two reasons: We are not building on the five feet of adjacent property and the property in actuality belongs to us.

We are requesting that the appeal be withdrawn and the building permit be issued as recommended by the City of Huntington Beach Planning Department.

Sincerely,


Robert and Mary Taddeo
714-345-0679

ATTACHMENT NO. 6.1

FACSIMILE
(949) 752-2141

LAW OFFICES OF
DANIEL C. CARLTON
2600 MICHELSON DRIVE, SUITE 1120
IRVINE, CALIFORNIA 92612

TELEPHONE
(949) 757-0707

December 3, 2007

VIA FACSIMILE & U.S. MAIL

City of Huntington Beach Planning Department
Attn: Andrew Gonzales
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

RE: Zoning Administrator's Hearing – November 28, 2007
Application to construct improvements at
16251 Typhoon Lane, Huntington Beach, CA
Owners: Robert and Mary Taddeo
Our Clients: Mr. Don Evans and Ms. Kathleen Anna Halsey

Dear Mr. Gonzales:

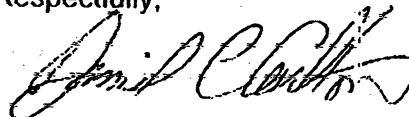
It was a pleasure meeting you last week at the referenced Zoning Administrator's Hearing.

Upon our request, you have confirmed that the Taddeo's Application does not in any way encroach on our clients' side yard easement. This issue is of concern to our clients, since someone heard at the Hearing that there would be a six inch encroachment. You have confirmed, however, that there will be no roof eave or other encroachment onto our clients' easement.

If this does not comport with your understanding and that of the terms of the Application approval, please contact me immediately so that we can prepare an appeal of the Zoning Administrator's decision.

Thank you for your prompt attention to this matter.

Respectfully,


DANIEL C. CARLTON

City of Huntington Beach
DEC 04 2007

DCC:ra

cc: Don Evans

ATTACHMENT NO. 6.2



December 3, 2007

Zoning Administrator
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Via Facsimile only

Re: Public Hearing - Coastal Development Permit No. 2007-013
Taddeo Residence - 16251 Typhoon Lane, 92649
November 28, 2007, Room B-8

Dear Zoning Administrator:

On November 26, 2007, the Huntington Harbour Property Owner's Association ("HHPOA") objected to the above referenced application for a Coastal Development Permit based on lack of a plan submittal from the homeowner.

In reviewing our records, it appears that this residence is not within the jurisdiction of the HHPOA. Therefore, we withdraw our objection and our request for a continuance of this matter.

We apologize for any inconveniences this has caused the City or the homeowner. Thank you for your understanding.

Yours truly,

Mike Palikan
Architectural Review Committee

City of Huntington Beach

DEC 03 2007

Huntington Harbour Property Owner's Association, Inc.
P.O. Box 791 Sunset Beach, CA 90742 (714)840-7877

TOTAL P.02

ATTACHMENT NO. 6.3

Wednesday, November 28, 2007

City of Huntington Beach
Zoning Administrator
Don Evans and Kathy Halsey

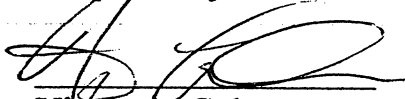
My wife Susan and I own the home at 16281 Typhoon Lane, Huntington Beach, CA 92649, 4 homes south of the proposed demolition. We very
STRONGLY oppose granting Mr. Taddeo, the current owner of 16251 Typhoon Lane,
permission to put a fence around the easement on the south side of his
property.


When we purchased our home it was with the understanding that the easement on the north side of our property would be permanently ours to use. We have a very pleasant sitting area there as well as storage for our trash containers.

To now create a precedent of allowing any neighbor on Trinidad Island to enclose a permanent easement will substantially damage the use and value of our home and any other with a similar easement. Mr. Taddeo has plenty of room in the front and rear of his property to allow for the building of the gigantic home he wants without taking away what rightfully belongs to his neighbor to his south.

Once again we strongly oppose granting Mr. Taddeo the right to enclose the
easement on the south side of his house.

Respectfully,


Victor A. Cohn


Susan Cohn

City of Huntington Beach

NOV 28 2007

ATTACHMENT NO. 6.4

Ms. Mary Beth Broeren
Principal Planner and Zoning Administrator
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Subject: Permit 2007-013

Dear Ms. Broeren,

We, Don Evans and Kathy Halsey, own our home at 16261 Typhoon Lane in Huntington Beach. Our neighbor, Mr. Robert Taddeo, at 16251 Typhoon Lane is proposing to demolish and reconstruct a home on the lot adjacent to ours. We have sent information to you that accurately describes an exclusive, recorded five foot easement we own on this adjacent lot, the restrictions that Mr. Taddeo has regarding access to this easement for exterior wall maintenance only, and the recognition of this easement and the associated restrictions that are "expressly incorporated by reference as though set out herein in full" in Mr. Taddeo's recorded deed.

We are shocked and dismayed that the planning staff of Huntington Beach is recommending approval of Mr. Taddeo's permit application without restrictions. This recommendation by the City is totally inappropriate, in that the City is choosing to support Mr. Taddeo's illegal taking of our property. Approval of this permit application without restrictions will drive us into litigation, damaging us as property owners in the City.

If the City will not consider a denial or a continuance, we request that any approval by the City be conditioned subject to the existing sideyard easement and the associated Declaration of Annexation of Tract 8636, which are recorded in Mr. Taddeo's deed.

We have also been told by staff that the outcome of the Public Hearing is predetermined and an expensive appeal process is our only alternative. As residents, we are incredibly disappointed if the Public Hearing process is not fair and open. We respectfully request that we receive an unbiased review of our objection to Permit Application 2007-013.

Sincerely,



Don Evans

City of Huntington Beach

NOV 28 2007

ATTACHMENT NO. 6.5

Paul and Donna Salmon
16262 Typhoon Lane
Huntington Beach, CA 92649
714-846-4040

City of Huntington Beach
NOV 27 2007

November 21, 2007

RE: Costal Development Permit No. 2007-013 (TADDEO Residence)

To Andrew Gonzalas – Project Planner:

Hello, we live across the street from the proposed project. We have reviewed the proposed plans which have been modified to remove a wall encroaching on the neighbor's easement. We will be unavailable the day of the Public Hearing so we want to submit this letter as our point of view challenging the current plan for demolition of the current house and construction of a new two story house at 16251 Typhoon Lane, Huntington Beach, CA 92649.

We would not agree to the plan as it is proposed for a number of reasons. Firstly, the owners are replacing a one story house with a two story house which is twice the size. We currently enjoy a partial view of the channel and a delightful summer sunset. It is one of the reasons we decided to purchase our home 6 years ago. With the additional height of a two story house much of that view is replaced with the new house. Secondly, even though it doesn't really effect us, it sure seems like a bad design to include windows on the side of the house where the zero property line is. These windows will then be viewing directly into the neighbor's side yard and kitchen.

The current house is in need of repair and we understand why the Taddeo's want to rebuild it. If the Taddeo's decide to replace the house with a one story home not exceeding the current height and width then we will support that. Another neighbor down the street was able to use some of the external walls and totally replace the house with a beautiful new house. As it is planned now – We would not want this plan to move forward as it affects the neighborhood and the value of our home.

Please contact us anytime if you have any questions or concerns. Our phone number is (714)846-4040.

Regards,


Paul and Donna Salmon

ATTACHMENT NO. 6.6



November 26, 2007

Zoning Administrator
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Via Facsimile only

Re: Public Hearing - Coastal Development Permit No. 2007-013
Taddeo Residence - 16251 Typhoon Lane, 92649
November 28, 2007, Room B-8

Dear Zoning Administrator:

It has come to the attention of the Huntington Harbour Property Owner's Association ("HHPOA") that the above referenced homeowner has applied for a Coastal Development Permit. The HHPOA objects to this application, because it has not received a plan submittal as required by the Declaration of Limitations, Covenants, Conditions, Restrictions and Reservations ("CC&R's").

The CC&R's which were recorded against and apply to this property mandate that the homeowner must first obtain written approval from the Architectural Review Committee ("ARC") of the HHPOA before proceeding on their project. This is probably just an oversight by the homeowner, so therefore we ask for his/her cooperation with our review program, and that he/she submits their project plans to us for approval as required.

However, since we have not yet received the plans, and in order to preserve our rights and the rights of all homeowners subject the CC&R's, we must respectfully object to this project until plans are submitted and approved in writing by the ARC. To that end, we would suggest a continuance of this matter until the HHPOA has received the plans from the homeowner.

We have already sent plan submittal instructions to the homeowner, and we invite him/her to contact us by phone should there be any questions. The homeowner may drop off the plans at our Post Office Box, or directly to our office, located at 16899 Algonquin Street, Suite "C", Huntington Beach, CA, 92649. Upon receipt, we will promptly review the project. Thank you for your considering our objection.

Yours truly,

Mike Palikan
Architectural Review Committee

City of Huntington Beach

NOV 26 2007

Huntington Harbour Property Owner's Association, Inc.
P.O. Box 791 Sunset Beach, CA 90742 (714)840-7877

TOTAL P.02

ATTACHMENT NO. 6.7

FACSIMILE
(949) 752-2141

LAW OFFICES OF
DANIEL C. CARLTON
2600 MICHELSON DRIVE, SUITE 1120
IRVINE, CALIFORNIA 92612

TELEPHONE
(949) 757-0707

November 20, 2007

VIA FACSIMILE & U.S. MAIL

City of Huntington Beach Planning Department
Attn: Andrew Gonzales
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

City of Huntington Beach
NOV 26 2007

**RE: Application to construct improvements at
16251 Typhoon Lane, Huntington Beach, CA
Owners: Robert and Mary Taddeo**

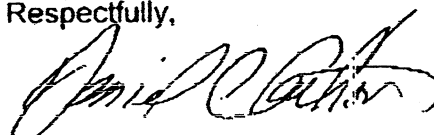
Dear Mr. Gonzales:

This firm represents Mr. Don Evans and Ms. Kathleen Anrie Halsey, owners of 16261 Typhoon Lane, Huntington Beach, which is adjacent to the Taddeo's property referenced above.

Our clients have discovered that the Taddeo's have submitted an Application to construct improvements on their property which would compromise their side yard easement. We have enclosed a copy of our letter to Coby Keller, the Taddeo's attorney, which outlines our concerns relating to this application. As noted in paragraph 5(c) of the Declaration of Annexation (also attached), it is clear that the Taddeos may enter upon our clients' easement area only for the purpose of maintaining the exterior wall of their home. Any work contemplated in excess of maintaining their property would be a violation of our clients' property rights, and would be vigorously opposed and litigated, if necessary.

Thank you for your cooperation in this matter. If you have any questions or comments, please contact the undersigned at your convenience.

Respectfully,



DANIEL C. CARLTON

DCC:ra
Enclosure

cc: Don Evans

ATTACHMENT NO. 6.8

City of Huntington Beach
Planning and Zoning Department
2000 Main Street
Huntington Beach, California 92648


Attn: Mr. Andrew Gonzales

Subject: Opposition to demolition and construction at 16251 Typhoon Lane

We, Don Evans and Kathy Halsey, are residents of Huntington Beach at 16261 Typhoon lane. We are opposed to the proposed demolition of the existing home and construction of a new home at 16251 Typhoon Lane. We have an exclusive easement for the five feet of lot 26 (16251 Typhoon Lane) that adjoins our Lot 25 (16261 Typhoon). Furthermore, the conditions of the easement restrict access to the easement for the sole purpose of periodic maintenance of the exterior wall of 16251 Typhoon Lane with proper notice. The owner of 16251 Typhoon Lane does not have access for construction.

The Easement is duly recorded on our deed. Since we have a recorded easement for the five of Lot 25 adjoining our Lot 26 and the easement does not allow construction or permanent access, approval of the plans submitted by the owner of Lot 26 would violate our property rights. We ask that the application for demolition of the existing structure and the construction of a new house at 16251 Typhoon be denied. It is inappropriate for the City of Huntington Beach to approve projects that violate the property rights of other property owners.

Sincerely,


Don Evans

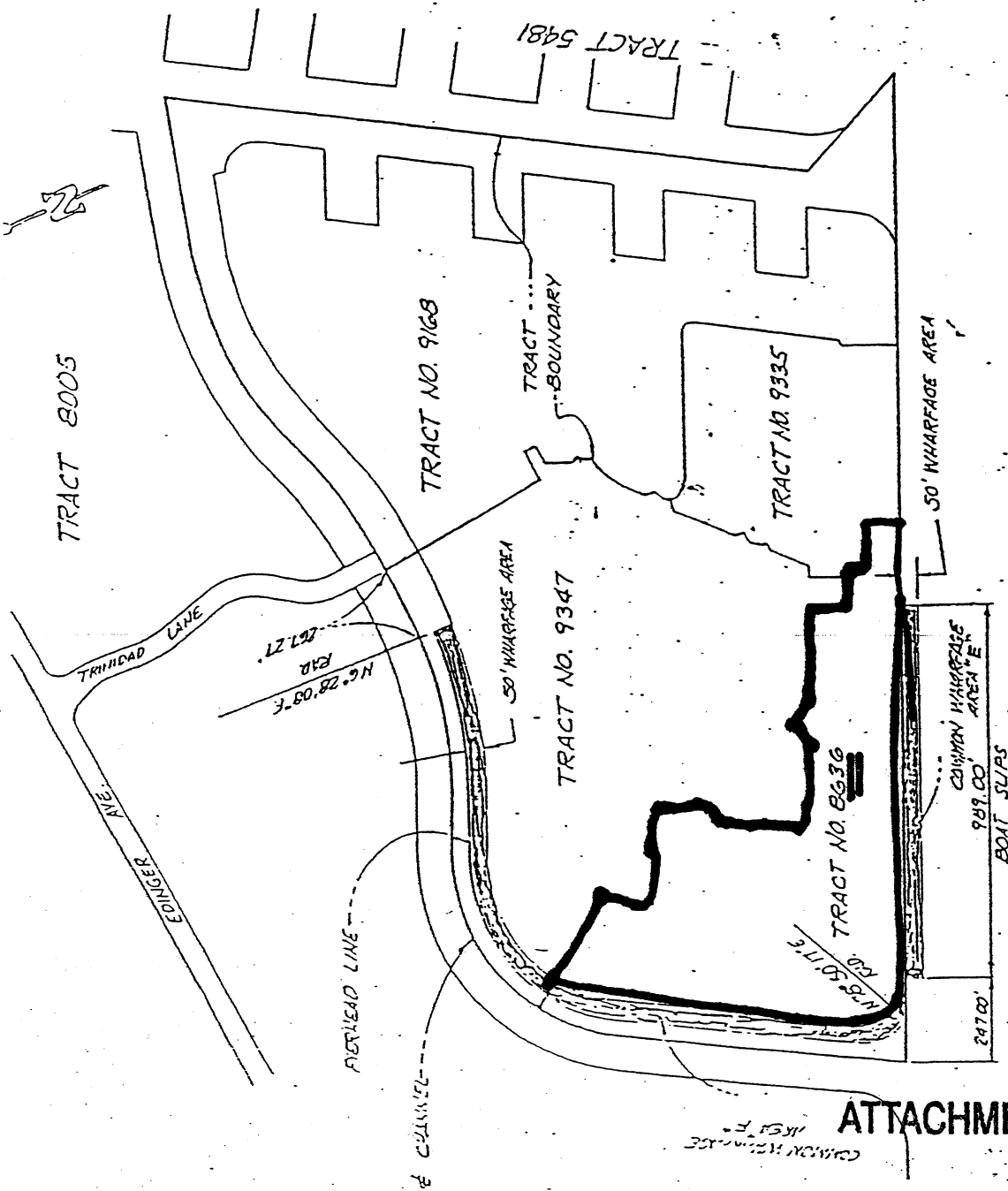
Attachments

1. Map of tract 8636
2. Property Deed of Lot 26 describing easement
3. Declaration of annexation that establishes the sideyard easements in Tract 8636

City of Huntington Beach

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ATTACHMENT NO. 69



City of Huntington Beach
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W 2951R 537

TRACT BOUNDARY

LOT A

PER HEAD LINE

PER HEAD LINE

BULKHEAD LINE

PUBLIC ACCESS EASEMENT

LOT B

22

23

24

25

26

27

TRACT

NO.

8636

TYPHOON

LANE

CITY OF HONOLULU
NOV 21 2007



BOAT SLIP DESIGNATION

NOTES:

△ THE ACTUAL WIDTH OF BOAT SLIPS AND THEIR LOCATIONS RELATIVE TO RECREATIONAL LOTS MAY VARY SLIGHTLY FROM THIS PLAN DUE TO ADJUSTMENTS MADE DURING THE COURSE OF CONSTRUCTION. HOWEVER, THE INTERIOR WIDTH OF THIS SLIP WILL NOT BE LESS THAN THE 13'-11" MIN. SHOWN HEREON.
△ RAMPS ARE SHOWN AT THEIR APPROXIMATE LOCATIONS.

COMMON WHARFAGE AREA

EXHIBIT 'A'

SCALE 1" = 40'

SHEET 2 OF 7

(8636) DECLARATION OF ANNEXATION

ATTACHMENT NO. 611

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL THIS DEED
AND MAIL TAX STATEMENTS TO:

Mr. Donald S. Evans
16261 Typhoon Lane
Huntington Beach, CA 92649

Recorded In Official Records, Orange County

Tom Daly, Clerk-Recorder



12.00

2005000492305 04:20pm 06/24/05

119 42 G02 3

0.00 0.00 0.00 0.00 6.00 0.00 0.00 0.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN:

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

DOCUMENTARY TRANSFER TAX IS \$ -0- *No Consideration*

- ☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale,
☐ Unincorporated Area City of Huntington Beach

By this instrument dated June 23, 2005, for a valuable consideration,
Donald S. Evans, an unmarried man

hereby GRANT(S) to

Donald S. Evans, An Unmarried Man and Kathleen Anne Halsey, an unmarried woman, as joint tenants

the following described real property in the City of Huntington Beach
County of Orange, State of California:

Lot 25, Tract 8636, County of Orange, State of California, as per map recorded in Book 397, Page 33 to 35 of
Maps, in the office of the County Recorder of said County.

REFER TO EXHIBIT 'A' FOR COMPLETE LEGAL DESCRIPTION:

STATE OF CALIFORNIA

COUNTY OF

Orange

ON

6-23-05

before me,

Diana L. Wood personally appeared

Donald S. Evans

Donald S. Evans

City of Huntington Beach

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personally known to me (or proved to me on the basis
of satisfactory evidence) to be the person(s) whose
name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that
by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

Witness my hand and official seal.

Signature

(This area for official notarial seal)

Exhibit "A"
DESCRIPTION

PARCEL 1:

LOT 25 OF TRACT NO. 8636, IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 397, PAGES 33, 34 AND 35 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

PARCEL 2:

AN EXCLUSIVE EASEMENT FOR SUCH RESIDENTIAL USES AS ARE CONSISTENT WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BOOK 11900, PAGE 1094, OF OFFICIAL RECORDS OVER THE SOUTHWESTERLY 5 OF THE SOUTHEASTERLY 50.20 FEET OF THE NORTHWESTERLY 74.70 FEET OF LOT 26 OF SAID TRACT 8636, SUCH EASEMENT BEING SUBJECT TO THE CONDITIONS AND RESTRICTIONS CONTAINED IN PARAGRAPH 5 OF THE DECLARATION OF ANNEXATION, RECORDED IN BOOK 12951, PAGE 532, OF OFFICIAL RECORDS.

PARCEL 3:

THE EXCLUSIVE RIGHT TO UTILIZE BOAT SLIP #228 AS SHOWN ON EXHIBIT "A" ATTACHED TO THE AFORESAID DECLARATION OF ANNEXATION, TRACT 8636, RECORDED IN BOOK 12591, PAGE 532 OF OFFICIAL RECORDS.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS TO THE BOAT SLIP DESCRIBED AS PARCEL 3, IN OVER, ACROSS, UPON AND THROUGH THE COMMON WHARFAGE AREA AS THAT TERM IS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, RECORDED IN BOOK 11900, PAGE 1094, OFFICIAL RECORDS.

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WHEN RECORDED RETURN TO:

6817

HARBOUR-PACIFIC, LTD.
3025 Olympic Boulevard
Santa Monica, California 90404
Attn: Lee N. Eckel, Esq.

\$13.00

RECORDED AT REQUEST OF
FIRST AMER. TITLE INS. CO.
IN OFFICIAL RECORDS OF
ORANGE COUNTY, CALIFORNIA

8:00 A.M. DEC 6 1978

LEE A. BRANCH, County Recorder

DECLARATION OF ANNEXATION
TRACT 8636
ORANGE COUNTY, CALIFORNIA

THIS DECLARATION OF ANNEXATION, is made this 5th day of December, 1978, by HARBOUR-PACIFIC, LTD., a partnership, (hereinafter referred to as "Declarant") with reference to the following facts:

A. Reference is hereby made to that certain Declaration of Covenants, Conditions and Restrictions for Tract 9168 recorded on September 24, 1976, in Book 11900, pages 1094 through 1127, inclusive, of the Official Records of Orange County, California, and amended in Book 12077, page 1790 of said Official Records (hereinafter referred to as the "Declaration").

B. Declarant is the sole owner of that certain property described as lots 1 through 72 inclusive in Tract 8636 (the "Annexed Property" herein) as shown on the map thereof filed in the Office of the County Recorder of Orange County, California, in Book 397, pages 33 through 35 of Miscellaneous Maps. Said property constitutes a portion of the real property described, in Exhibit "C" of the Declaration.

C. Section 2 of Article VIII of the Declaration provides that land within the area described in Exhibit "C" may be annexed to Tract 9168 and added to the scheme of the Declaration and subject to the jurisdiction of the Trinidad Island Homeowners Association by the recording of a Declaration of Annexation in accordance with the provisions of Section 3 of said Article VIII.

D. The annexation contemplated herein is in accordance with the provisions of said Declaration.

NOW, THEREFORE, Declarant declares that the real property located in the City of Huntington Beach, County of Orange, State of California, more particularly described in paragraph B above, is and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, charges and liens hereinafter set forth and as set forth in said Declaration and by this reference thereto said Declaration is hereby incorporated herein and made a part hereof, all of which shall run with and shall apply to and be binding upon all parties having or acquiring any right, title or interest in the property hereinabove described or any part thereof; and are imposed upon said real property and every part thereof as a servitude in favor of each and every parcel thereof as the dominant tenement or tenements.

1. Retaining Wall. Each Owner of a Channel Lot acknowledges the fact that a retaining wall approximately six inches in width and varying from three to four feet in height has been constructed on that portion of his Residential Lot which lies adjacent to the eight foot public walkway along the northern boundary of the Annexed Property. In respect thereto, no act shall be performed nor permitted to be performed by an Owner which would impair the character or structural integrity of said retaining wall. Further, each Owner of a Channel Lot shall permit the Association to enter upon his property for the purpose of maintaining said retaining wall and any and all

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ATTACHMENT NO. 6.14

electrical wires, lines, conduits and fixtures which may be located therein, thereon or thereunder.

2. Wharfage. Attached hereto as Exhibit "A" is the Wharfage Plan for the boat slips located (a) within Lot B of Tract 8636 (i.e., the northwesterly portion of Common Wharfage Area F, referred to in Article V, Section 2 of the Declaration), and (b) within the area leased from the State of California and referred to in said Article V, Section 2 of the Declaration as Common Wharfage Area E. The original conveyance of exclusive right to use boat slips within said area shall be made by reference to the slip number indicated on said Wharfage Plan.

3. Guest Slips. Those certain common area boat slips depicted on Exhibit "A" as numbers 222, 223, 301, 302, 327, 328, (the "Guest Slips") shall be maintained by the Association for the use only by members of the general public who are visiting the Properties. The Association shall establish rules and regulations concerning use of the Guest Slips covering such matters as the reservation of slips and the setting of daily rates for such use; provided, however, in no event shall a guest dock be utilized for the mooring of any boat for a period in excess of seventy-two (72) hours at a time.

4. Vista Point. The cross-hatched portion of Common Wharfage Areas F and E as shown on Exhibit "A" hereof shall remain free at all times of anything which might obstruct the view from lot 74 of said Tract 8636. No vessel of any kind shall be permitted to be moored within said cross-hatched area, nor shall any structure or improvement be constructed, placed, or be permitted to remain in such area.

5. Sideyard Easements. In the Grant Deeds by which Declarant conveys lots 1-72 of said Tract to individual purchasers, easements over portions of the sides of certain lots shall be granted to the owners of certain adjacent lots for uses consistent with those permitted in the Declaration. Each such easement shall be accurately described in the deed of the dominant and benefited lot and such easement shall also be referenced in the deed of the lot subject to said easement. Said easements shall be granted for the enhancement of the Annexed Property and each of the lots benefited thereby and shall be deemed appurtenant to each lot to which such easement shall initially attach. Such easement shall be subject to the following:

(a) Any encroachment into said easement area by the roof overhang or eaves of the house located on the lot subject to said easement created or arising out of the original construction of said house by Declarant.

(b) Any drainage into said easement area from the house situated on the lot subject to said easement resulting from the normal use of said house provided: (i) the owner of said house shall not alter the drainage onto said easement area from that created by the original construction of said house and the original grading of said lot; and (ii) the owner of the lot benefiting from said easement shall maintain said easement area in such a manner as will not interfere with the established drainage pattern.

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(c) The owner of the lot subject to said easement shall have the right from time to time as may be necessary, upon reasonable notice to the owner of said easement, to enter upon said easement area for the purpose of maintaining the exterior wall of said owner's house which forms one of the boundaries of said easement area. Said owner by the acceptance of his deed hereby agrees to indemnify and hold the owner of said easement harmless against any damage to his property or liability that may arise out of the exercise of right of entry hereby reserved.

(d) No swimming pool, jacuzzi, hot tub, room addition, shed, planter box, or any other similar or substantial improvement shall be constructed in said easement area without said improvement first being approved by the City of Huntington Beach and the Architectural Committee as provided in the Declaration, and no such improvement shall be approved by said Architectural Committee which (i) would unreasonably interfere with the right of entry to the easement area described in subparagraph (c) above, or (ii) which would, in normal use, be likely to cause damage to the house located on the lot subject to said easement.

(e) The provisions of Article II, Section 15 of the Declaration insofar as it requires the construction of walls or fences on the side lot lines of Residential Lots shall be inapplicable to those Residential Lots within the Annexed Property which have sideyard easements on both sides of the lot. Fences or walls for such lots shall be constructed on the lots subject to such sideyard easements from the exterior face of the sidewall of the house which forms one of the boundaries of the easement area to the rear lot line of such lots. Each owner of a sideyard easement shall extend his rear fence or wall beyond his side lot line to meet such side fence or wall.

(f) In the event that any lot which is subject to one of the aforescribed easements is valued for property tax purposes to include said easement area or any improvements that may have been constructed thereon, the adjoining lot owners shall determine by mutual agreement between themselves, taking into account the relative square footage of such area, any improvements which have been installed thereon, and any tax bills rendered upon valuation based upon assessing such property, and the owner having such beneficial use shall reimburse the owner subject to such assessment for the portion of such assessment attributable to the portion of his lot beneficially used by the reimbursing party.

6. Amendment. Notwithstanding the provisions contained in Article X, Section 4 of the Declaration, the provisions of paragraph 5 of this Declaration of Annexation that relate specifically to the property being annexed hereby may be amended by a recorded document signed by the owners of residential lots representing at least 51% of both the Class A and Class B members within said Annexed Property.

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